

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: APRIL 18, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-13850 - APPLICANT/OWNER: WILLIAM LYON HOMES**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be defined as Horse Drive and Teasha Lane between Conough Lane and Coke Street and Conough Lane, approximately 306 feet north of Racel Avenue north to the City of Las Vegas limits.
2. Appropriate vacation applications for existing rights-of-way within Clark County jurisdiction adjacent to the area to be vacated, such as VS-762-05 and VS-763-05, shall record concurrently with an Order of Vacation for this action.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-13854 may be used to satisfy this requirement provided that it addresses the area to be vacated. Alternatively, in lieu of preparing a Drainage Plan and Technical Drainage Study, public drainage easements may be reserved over the entire area requested to be vacated.
4. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. The plan shall also show how legal access will continue to be provided to all abutting parcels; the Order of Vacation shall not record until all issues regarding maintaining legal access to all legal parcels have been resolved. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
7. All development shall be in conformance with code requirements and design standards of all City Departments.

8. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
9. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application is a Petition to Vacate public rights of way generally located west of the intersection of Horse Drive and Coke Street. Planning and Public Works have no objection to this request for a Vacation of public rights of way.

The application was previously tabled at the request of the applicant in anticipation of the City's desire to establish preliminary grading for the adjacent Floyd Lamb State Park detention basin facility. The applicant feels that these issues have now been resolved and requests consideration of this Petition to Vacate.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 01/21/04      The City Council approved an Annexation (ANX-3103) Petition to annex property generally located on the southwest corner of Horse Drive and Coke Street, containing approximately 4.8 acres, APNs: 125-09-702-001 and 002. The Planning Commission and staff recommended approval.
- 01/04/06      The City Council approved a request for a Rezoning (ZON-9926) FROM: U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 units per acre) and a Site Development Review (SDR-9927) for an eight lot single family subdivision on 5.93 acres on the northwest corner of Horse Drive and Coke Street (APNs 125-09-702-001 and 002). The Planning Commission and staff recommended denial.
- 04/19/06      The City Council approved an Annexation (ANX-11001) Petition to annex property generally located on the southwest corner of Horse Drive and Coke Street, containing approximately 4.8 acres, APNs: 125-09-602-004, 125-09-702-003 and 125-09-704-001. The Planning Commission and staff recommended approval.
- 09/07/06      The Planning Commission voted to table this item.
- 03/22/07      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/rl).

***B) Pre-Application Meeting***

04/24/06      A pre-application meeting was held detailing the requirements for submittal of an R-PD (Residential Planned Development), which included the following;

- Approval of Annexation (ANX-11001)
- A Variance for Open Space will be needed
- Public Works requested rural improvements along Coke Street

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres:      24.8

***B) Existing Land Use***

Subject Property: Vacant  
North:              Single-Family Residential  
South:              Vacant  
East:                Single-Family Residential  
West:                Vacant

***C) Planned Land Use***

Subject Property: RNP (Rural Neighborhood Preservation)  
North:              RNP (Rural Neighborhood Preservation)  
South:              RNP (Rural Neighborhood Preservation)  
East:                PCD (Planned Community Development)  
West:                PR-OS (Parks/Recreation/Open Space)

***D) Existing Zoning***

Subject Property: U (Undeveloped)  
North:              Clark County  
South:              Clark County  
East:                R-PD3 (Residential Planned Development - 3 Units Per Acre)  
West:                R-E (Residence Estates)

## DETAILS OF APPLICATION REQUEST

The property is legally described as the eastern thirty feet (30') of Conough Lane beginning approximately six hundred and forty six feet (646') North of the intersection of Horse Drive and Conough Lane and extending South approximately one thousand eight hundred and forty four feet (1,844'), the sixty foot (60') wide Teasha Avenue right of way from Conough Lane to Coke Street including the spandrel areas, the eighty foot (80') wide Horse Drive right of way beginning at Conough Lane and extending East approximately two hundred and ninety five feet (295') including the spandrel areas, and the South forty feet (40') of Horse Drive beginning at the intersection of Coke Street and extending West approximately three hundred feet (300') including the spandrel areas; said property being a portion of the North half (N1/2) of the Southeast quarter (SE1/4) of Section 09, Township 19 South, Range 60 East, M.D.M.

## ANALYSIS

### A) *Planning discussion*

Planning has no objection to this request for a Vacation.

### B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform widths as it will eliminate Horse Drive and Teasha Avenue west of Coke Street and eliminate Conough Lane north of Racel Street.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the streets were only used for rural housing, which are being eliminated for the most part.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate streets in association with a proposed overlying subdivision.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, ZON-13854 and SDR-13852*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements?  
*No.*

G. Does the Department of Public Works have an objection to this vacation request?  
*No.*

### **PLANNING COMMISSION ACTION**

Conditions 3 and 4 were changed by the Public Works Department as shown.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 16

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 6 by City Clerk

**APPROVALS** 0

**PROTESTS** 0